

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Francisco Romero et al.  
Serial No.: 10/562,079  
Filed: December 22, 2005  
Title: NEW CYTOTOXIC DEPSIPEPTIDES

Art Unit: 1654  
Examiner: Jeffrey E. Russel  
Conf. No.: 9471

**MAIL STOP AF**

Commissioner for Patents  
P.O. Box 1450 Alexandria,  
VA 22313-1450

DECLARATION OF AGUSTÍN PÉREZ-ARANDA ORTEGA

I hereby state that a culture of the microorganism strain ES7-008 has been deposited in the Colección Española de Cultivos Tipo at the University of Valencia, in Spain, under the accession number CECT 3358. The deposit has been made under the provisions of the Budapest Treaty.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Respectfully submitted,



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Date: 28 Nov, 2008